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REMARKS

The application has been reviewed in light of the Office Action dated February 15, 2008.

Claims 55-70 are pending, with claims 1-54 having previously been canceled, without prejudice

or disclaimer.   The Office Action indicates that claims 55-57 have been allowed.   By this

Amendment, claim 70 has been canceled, without prejudice or disclaimer, claims 58, 61, 63 and

65-69 have been amended to clarify the claimed subject matter thereof, and new claim 71 has

been added.   Accordingly, claims 55-69 and 71 are now pending, with claims 55, 58, 61, 63, 65-

69 and 71 being in independent form.

Claims 58-70 were rejected under 35 U.S.C. § 102(b) as purportedly anticipated by U.S.

Patent No. 5,552,901 to Kikuchi et al.

Applicant has carefully considered the Examiner's comments and the cited art, and

respectfully submits that independent claims 58, 63, 65, 66, 68, 69 and 71 are patentable over the

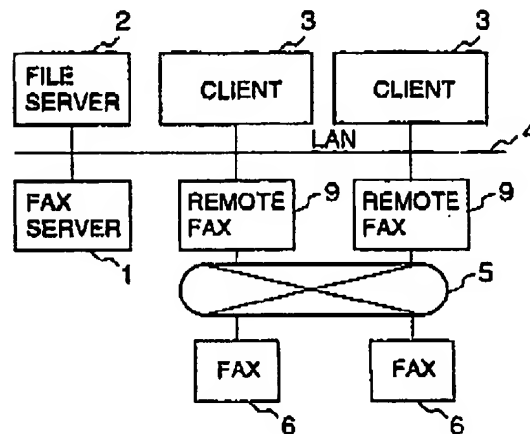cited art, for at least the following reasons.

Kikuchi, as understood by applicant, proposes a facsimile server system wherein a client

(3) delivers document data to a FAX server (1) and requests FAX transmission/printing, and in

response thereto the FAX server (1) expands into image data the document data requested to be

transmitted, transfers the image data to the appropriate remote FAX (9) and issues a command

for the FAX transmission/printing to the remote FAX (which includes a scanner, a printer and a

FAX communication unit). The remote FAX (9) can accept an instruction to perform FAX

transmission directly from a user of the remote FAX (9), and in connection with the instruction,

the remote FAX (9) receives an image (for example, scanned) of a document, and subsequently

delivers the image data of the document to the FAX server (1) and makes a request for the FAX

transmission. In addition, when the remote FAX receives image data through FAX reception, it

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delivers the received image data to the FAX server (1), and the FAX server (1) accumulates the

image data and offers them to the client (3) for retrieval. Fig. 1 of Kikuchi which shows the

facsimile server system proposed therein is reproduced below.

FIG.1

Kikuchi, column 6, lines 39-47, and column 19, lines 7-19, states as follows:

The reception document table 28 is configured of an area 28a for storing a serial No. bestowed on each reception document, an area 28b for storing the identifier of the remote FAX 9 having received the document, an area 28c for storing the identifier of each transmission side user, an area 28d for storing the date and hour of the reception of the document, an area 28e for storing the accumulation start address of the data of each document accumulated in the document data storage 30, and an area 28f for storing the size of the accumulated data.

...

The parameter management unit 12 of the FAX server 1 notified of the remote FAX identifier retrieves the communication history information bearing the notified remote FAX identifier, by referring to the remote FAX area 32a of the communication management table 32. Subsequently, it sends back to the client 3 the contents of the communication mode area 32b, opposite user identifier area 32c, number-of-sheets area 32d and result-of-communication area 32e as collected by the parameter transfer process stated before.

The client 3 generates a FAX transmission history report 59 and a FAX reception history report 60 by the use of the information items received from the FAX server 1, and displays the generated reports on the display unit 33.

Thus, Kikuchi proposes that the fax server maintains communication history information (that is, history of facsimile transmissions and receptions) and makes such information available to a client terminal or computer.

However, Kikuchi does not disclose or suggest any of the following features:

(a) providing a performance measuring part in the image forming apparatus to monitor a number of recording sheets that have been used for image forming operations of the image forming apparatus and *maintain a count of a number of occurrences that the recording sheets are spent out* (independent claims 69 and 71 of the present application);

(b) providing a performance measuring part in the image forming apparatus to monitor line vacancy of the image forming apparatus and *measuring an amount of time of line vacancy* (independent claims 63 and 68 of the present application);

(c) providing a function usage measuring part in the image forming apparatus to monitor each image forming function of the image forming apparatus, and *maintain a corresponding count of a number of times that the image forming function of the image forming apparatus has been used* (independent claims 58 and 66 of the present application);

(d) providing a performance measuring part in the image forming apparatus to *measure for each predetermined period of time a number of times that communications were performed* by the image forming apparatus during said predetermined period of time (independent claims 61 and 67 of the present application); and

(e) a performance measuring mechanism configured to continuously monitor use of an image memory and calculate a memory usage rate of the image forming apparatus (independent claim 65 of the present application).

In addition, Kikuchi says nothing whatsoever regarding storing, in a storage part of the image forming apparatus, performance measurement data (i) corresponding to <u>image forming</u> function usage counts (independent claim 58 and 66), (ii) corresponding to an amount of time of

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line vacancy (independent claim 63 and 68),   (iii) corresponding to a count of the number of

occurrences that the recording sheets are spent out (independent claims 69 and 71), (iv) including

the measured number of times that communications were performed during the predetermined

period of time (independent claims 61 and 67), and/or (v) corresponding to memory usage rate

(independent claim 65).

The proposal in Kikuchi of maintaining transmission and reception history information in

the fax server is merely at best an adaptation of a known conventional approach to a client-server

system and moreover, even when considered along with common sense and common knowledge

to one skilled in the art simply does not render obvious the above-mentioned claim features of

the present application.

Accordingly, Applicant respectfully submits that independent claims 58, 63, 65, 66, 68,

69 and 71, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks herein, Applicant submits that the application is now in condition

for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper

should be considered to be such a petition. The Patent Office is hereby authorized to charge any

required fees, and to credit any overpayment, to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner

is respectfully requested to call the undersigned attorney.

Respectfully submitted,

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